



JOINT MEETING OF THE MILPITAS CITY COUNCIL AND HOUSING AUTHORITY

For assistance in the following languages, you may call:

Đối với Việt Nam, gọi 408-586-3122

对中国人来说，请用 408-586-3263

Para sa Tagalog, tumawag sa 408-586-3051

Para español, llame 408-586-3232

AGENDA (REVISED)

TUESDAY, AUGUST 21, 2018

455 EAST CALAVERAS BOULEVARD, MILPITAS, CA

5:30 P.M. (CLOSED SESSION)

7:00 P.M. (PUBLIC BUSINESS)

SUMMARY OF CONTENTS

I. CALL JOINT MEETING TO ORDER by Mayor and ROLL CALL by City Clerk

II. ADJOURN TO CLOSED SESSION (5:30 PM)

(a) CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to California Government Code Section 54956.8

Property: (no APN) right-of-way land located directly north and adjacent to Barber Ct.

Agency negotiator: Julie Edmonds-Mares

Negotiating parties: Outfront Allvision, LLC, Alex Belenson

Under negotiation: Price and terms of payment

(b) CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Pursuant to California Government Code Section 54956.8

Potential Property: Assessor's Parcel Number 086-036-012

Agency negotiator: Steve McHarris

Under negotiation: Price and terms of payment

(c) PUBLIC EMPLOYEE EVALUATION

Pursuant to Government Code Section 54957

Employee Position: City Attorney

(d) CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6

Agency designated representative: Julie Edmonds-Mares, City Manager

Employee: City Attorney Contract

III. CLOSED SESSION ANNOUNCEMENT: Report on action taken in Closed Session, if required per Government Code Section 54957.1, including the vote or abstention of each member present

IV. PLEDGE OF ALLEGIANCE (7:00 p.m.)

V. INVOCATION (Councilmember Barbadillo)

VI. PRESENTATIONS

- Proclaim *National Payroll Week* for September 3 – 7, 2018
- Recognize Fire Dept. Battalion Chief Jason Schoonover for recent completion of Executive Fire Officer Training
- Recognize Milpitas High School STEM Girls, participants in VEX Robotics Competition

VII. PUBLIC FORUM

Those in the audience are invited to address City Council on any subject not on tonight's agenda. Speakers must come to the podium, state their name and city of residence for the Clerk's record, and limit spoken remarks to three minutes. As an item not listed on the agenda, no response is required from City staff or the Council and no action can be taken. Council may instruct the City Manager to place the item on a future meeting agenda.

VIII. ANNOUNCEMENTS

IX. ANNOUNCEMENT OF CONFLICT OF INTEREST AND CAMPAIGN CONTRIBUTIONS

X. APPROVAL OF AGENDA

XI. CONSENT CALENDAR (Items No. 1 through No. 12)

Consent calendar items are considered to be routine and will be considered for adoption by one motion. There will be no separate discussion of these items unless a City Councilmember, member of the audience or staff requests the Council to remove an item from (or be added to) the consent calendar. Any person desiring to speak on any item on the consent calendar should ask to have that item removed from the consent calendar. If removed, this item will be discussed in the order in which it appears on the agenda.

1.	Accept Schedules of Meetings/City Council Calendars 2018
2.	Approve City Council Meeting Minutes for August 7, 2018 (Staff Contact: Mary Lavelle, 408-586-3001)
3.	Approve Milpitas Art and Culture In-Kind Grant for a Moon Festival (Staff Contact: Josh Clevenger, 408-586-3209)
4.	Receive Staff Report on Solid Waste Rate Process and Recycling Market Impacts (Staff Contacts: Steve Erickson, 408-586-3301 and Leslie Stobbe, 408-586-3352)
5.	Receive Staff Report on Past Due Solid Waste Accounts and Milpitas Sanitation Inc. Late Payment Protocol (Staff Contacts: Steve Erickson, 408-586-3301 and Leslie Stobbe, 408-586-3352)
6.	<u>HOUSING AUTHORITY</u> Adopt a Housing Authority Resolution Extending the Period for Development or Disposition of Housing Authority Properties in Milpitas to August 31, 2022 (Staff Contacts: Sharon Goei, 408-586-3260 and Hang Huynh, 408-586-3275)

7.	Authorize the City Manager to Execute an Improvement Agreement for a Commercial Development at 1100 and 1201 Cadillac Court (Staff Contact: Steve Erickson, 408-586-3301)
8.	Approve and Authorize the Director of Engineering/City Engineer to Execute Contract Change Order No. 1 with Granite Construction Company for the Amount Not to Exceed \$175,000 for the 2018 Street Resurfacing, Projects No. 4283 and No. 4287 (Staff Contact: Steve Erickson, 408-586-3301)
9.	Authorize the City Manager to Execute the Improvement Agreement for a Commercial Development at 1585 North McCarthy Boulevard (Staff Contact: Steve Erickson, 408-586-3301)
10.	Authorize Payment to Cayenta for Annual Software Support and Maintenance Services Agreement for the Financial and Utility Billing System for an Amount Not to Exceed \$209,270.54 (Staff Contact: Mike Luu, 408-586-2706)
11.	Approve Amendment No. 1 to the Agreement with Clampett Industries LLC doing business as EMG for City Wide Facilities Condition Assessment Services in the Amount of \$20,000 Resulting in the New Total Agreement Amount Not to Exceed \$111,766.40 (Staff Contacts: Will Fuentes, 408-586-3111 and Tony Ndah, 408-586-2602)
12.	Approve Amendment No. 2 to the Agreement with Varsity Facilities Service for City Wide Janitorial Service at 12 City of Milpitas Locations in the Amount of \$46,345.93 for Contract Year Five Resulting in an Increase in the Amount Not to Exceed \$509,805.18 (Staff Contacts: Will Fuentes, 408-586-3111 and Tony Ndah, 408-586-2602)

XII. UNFINISHED BUSINESS

The following items No. 13 – 15 scheduled for discussion

13. Receive Report of City Council Subcommittee on Commissions, Commissioner Appointment Recommendations and Approve New Commissioner Handbook (Council Contacts: Councilmembers Nuñez, 408-586-3023 and Phan, 408-586-3032)

XIII. NEW BUSINESS

14. Receive a Presentation on Transit Area On-Street Parking Management Strategies, and Provide Direction to Staff (Staff Contacts: Steve Erickson, 408-586-3301 and Steve Chan, 408-586-3324)
15. Receive Presentation on The Pines On-Street Parking Analysis and Provide Direction to Staff (Staff Contacts: Steve Erickson, 408-586-3301 and Steve Chan, 408-586-3324)

XIV. REPORT OF MAYOR

16. Per Request of Mayor Tran, Consider Approving More than 4 Hours of Staff Time to Respond to a Need for Traffic Calming Program (Contact: Mayor Tran, 408-586-3029)

XV. REPORTS OF MAYOR & COUNCILMEMBERS – from the assigned Commissions, Committees and Agencies

XVI. ADJOURN JOINT MEETING

NEXT REGULAR CITY COUNCIL MEETING
TUESDAY, SEPTEMBER 4, 2018

KNOW YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions and other agencies of the City exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and the City operations are open to the people's review. For more information on your rights under the Open Government Ordinance or to report a violation, contact the City Attorney's office at Milpitas City Hall, 455 E. Calaveras Blvd., Milpitas, CA 95035
e-mail: cdiaz@ci.milpitas.ca.gov / Phone: 408-586-3040

The Open Government Ordinance is codified in the Milpitas Municipal Code as Title I Chapter 310 and is available online at the City's website www.ci.milpitas.ca.gov by selecting the Milpitas Municipal Code link.

Materials related to an item on this agenda submitted to the City Council after initial distribution of the agenda packet are available for public inspection at the City Clerk's office at Milpitas City Hall, 3rd floor 455 E. Calaveras Blvd., Milpitas and on the City website. All City Council agendas and related materials can be viewed online here: www.ci.milpitas.ca.gov/government/council/agenda_minutes.asp (select meeting date)

APPLY TO SERVE ON A CITY COMMISSION

Commission application forms are available online at www.ci.milpitas.ca.gov or at Milpitas City Hall. Contact the City Clerk's office at 408-586-3003 for more information.

If you need assistance, per the Americans with Disabilities Act, for any City of Milpitas public meeting, please call the City Clerk at 408-586-3001 or send an e-mail to mlavelle@ci.milpitas.ca.gov prior to the meeting. You may request a larger font agenda or arrange for mobility assistance. For hearing assistance, headsets are available in the City Council Chambers for all meetings.

AGENDA REPORTS

XI. CONSENT CALENDAR

1.	<p>Accept Schedules of Meetings/City Council Calendars August and September 2018</p> <p><u>Recommendation:</u> Receive and accept Council calendars of meetings for August and September, 2018. Note any changes or additions, if needed.</p> <p><u>Attachments:</u> August and September 2018 Calendars</p>
2.	<p>Approve City Council Meeting Minutes for August 7, 2018 (Staff Contact: Mary Lavelle, 408-586-3001)</p> <p><u>Recommendation:</u> Move to approve the August 7, 2018 City Council meeting minutes.</p> <p><u>Attachment:</u> Draft meeting minutes August 7, 2018</p>
3.	<p>Approve Milpitas Art and Culture In-Kind Grant for a Moon Festival (Staff Contact: Josh Clevenger, 408-586-3209)</p> <p><u>Background:</u> The Milpitas Arts and Culture Grant Program is a competitive grant program offering in-kind support to individuals and organizations hosting cultural or artistic events in the City of Milpitas. In-kind support includes performance space (i.e. Community Center, Senior Center, City parks) and City staff support. All grant events are held in Milpitas and are open to the public at either little or no cost.</p> <p>An application was submitted for the Milpitas Arts and Culture Grant Program (MACG) for the 2018-19 grant cycle from Ve Nguon Vietnamese Language School for a Moon Festival community program/concert to be held at the City's Cesar Chavez Plaza on Saturday, September 22, 2018. The Moon Festival celebrates the full moon in mid-autumn as well as the traditions of moon worship and moon gazing.</p> <p>The Milpitas Arts Commission met on Monday, August 13, 2018 and voted to recommend that the City Council award the in-kind grant for this festival. The estimated value of the In Kind Grant is \$500 - \$2,200, covering city staff time and the event space.</p> <p><u>Fiscal Impact:</u> None.</p> <p><u>Recommendation:</u> Per recommendation of the Milpitas Arts Commission, approve awarding an in-kind Milpitas Arts and Culture Grant to the Ve Nguon Vietnamese Language School for its Moon Festival to be held on Saturday, September 22, 2018.</p> <p><u>Attachments:</u> Grant Application and prior year's Flyer for event</p>
4.	<p>Receive Staff Report on Solid Waste Rate Process and Recycling Market Impacts (Staff Contacts: Steve Erickson, 408-586-3301 and Leslie Stobbe, 408-586-3352)</p> <p><u>Background:</u> The Franchise Agreement (collections services) between the City and Milpitas Sanitation, Inc. (MSI) for the collection and hauling of solid waste materials, including organic and recycling materials started on December 1, 2017. The 15 year agreement outlines a process and schedule for annual rate adjustments.</p> <p>Rate adjustments are based on two types of calculations - Index Based or Cost Based as described in Exhibit D-1 and D-2, of the Agreement and these exhibits are included in the</p>

agenda packet. Index based rate adjustments are to occur for Rate Periods (years) two, three, five, six, eight, nine, 10, 11, 13 14, and 15 and cost based adjustments or true-ups for Rate Periods four, seven, and 12. In accordance with the Agreement, MSI is required to submit an application for an Index Based adjustment by October 1, and Cost Based rate adjustments are to be submitted to the City no later than August 1 of each year, to allow for adequate time for review. After City staff have reviewed the rate adjustment requests and supporting analysis, rate adjustments are to be put forward for Council consideration in December, with new rates going into effect on January 1 of the following year. Per the Agreement, the rate adjustment for 2019 will be tied to an Index Based calculation.

The City also has a Franchise Agreement (disposal services) with Waste Management, Inc. (WMI) for solid waste disposal services that are hauled by MSI trucks to the Kirby Landfill. WMI provides MSI with an invoice based on current per-ton rates and total tons delivered to the landfill from the City by MSI. This agreement for disposal services also started on December 1, 2017 and outlines an annual prescribed schedule for rate adjustments as presented in Article 8 of this Agreement. Under the WMI agreement, City staff is to review requested Index Based rate adjustments submitted by WMI on an annual basis on or before September 1 of each year.

Staff anticipates that rate adjustment applications from both MSI and WMI will be submitted this October for consideration. Staff will review the rate adjustment submittals with assistance from a consultant that was retained for rate review services. Staff anticipates bringing forward a recommendation to the Council by December.

Recycling Market Impacts

The current market for recyclable materials is volatile. U.S. recycling companies are grappling with recently enacted recycling policies set by China earlier this year which severely restrict the import of recycled materials that China deems as contaminated. The National Sword policy enacted in October 2017 limited the import of contaminated recyclable commodities and increased inspections of recyclable commodity imports. Strict new contaminant thresholds are now applied. In March 2018, China began the Blue Sky enforcement campaign to prevent the import of materials outlined in the country's recycling ban. A presentation on this issue was made to the Recycling and Source Reduction Advisory Commission (RSRAC) at its April 24 meeting.

By the end of 2018, policy bans will include post-industrial PE (Polyethylene) PET (Polyethylene Terephthalate), PS (Polystyrene), PVC (Polyvinyl Chloride) and other scrap plastic, unsorted mixed paper, and a variety of metal and electrical appliance scraps. For example, the previous standard for an allowable contamination level for mixed paper was five to eight percent. The new standard is 0.5 percent. CalRecycle (the State's Department of Resources, Recycling and Recovery) reports that no municipal recovery facility in the US is currently producing paper bales that meet China's new quality standard. Mixed paper is approximately 40% of the materials recycled by Milpitas residents.

CalRecycle estimates that a third of all recyclable material generated in California annually is exported to foreign markets, and 62 percent of that goes to China. Materials that are rejected from import to China would be either stored for possible future sale, or would go directly to the landfill, which adds cost to the recycling market. In the case of mixed paper and some plastics, these commodities are being sold to India, Vietnam and Malaysia. These countries are expanding recycling operations to buy and process recycled materials, which are currently sold mostly to China. In this scenario, China is able to off-load labor and environmental costs. This economic structure is not expected to last after China builds its own recycling and remanufacturing infrastructure.

Recycled materials from the City of Milpitas are marketed by GreenWaste Recovery, Inc. (GWI), which is the processing contractor used by MSI. At this time, GWI is not

experiencing cost increases from China's recycling policies. GWI's processing reduces contamination levels received from customers. Its recycling facility in San Jose takes residential and commercial mixed recyclables and separates them into individual commodities, including cardboard, glass, aluminum and different plastics. These materials are baled and sent to processors to produce new products. Processing material at over 45 tons per hour, this plant expects to recover over 95% of the material it processes.

However, it is unknown if there will be future cost increases or a need to landfill recyclables, particularly mixed paper and low-value plastics due to the new restrictions. MSI is helping by getting the word out to Milpitas residents and businesses encouraging the continued efforts to properly clean and sort recyclable materials so that our recycling stream may continue to be successfully marketed by GWI. As stated above, GWI is currently not experiencing cost increases as a result of a change in market conditions but staff will keep City Council apprised of any changes in status.

Fiscal Impact: None. There is no fiscal impact at this time.

Recommendation: Receive staff report on solid waste rate process and recycling market impacts.

Attachment: Agreement for solid waste services Exhibits D-1 and D-2

5. Receive Staff Report on Past Due Solid Waste Accounts and Milpitas Sanitation Inc. Late Payment Protocol (Staff Contacts: Steve Erickson, 408-586-3301 and Leslie Stobbe, 408-586-3352)

Background: On July 24, 2018, the Recycling and Source Reduction Advisory Commission (RSRAC) received a staff presentation on past due solid waste accounts and the late payment protocol including collection service reductions used by Milpitas Sanitation, Inc. (MSI) to recover lost revenue from unpaid invoices. This is an informational report on the collection process and service reduction action taken after and account is more than 120 days past due.

Since the start of the new solid waste and recycling collection services contract on December 1, 2017, there are approximately 1,537 residential and business customers with past due accounts ranging from 30 to 120 days or more. This represents 10% of Milpitas solid waste customers, and is a total loss to the City of \$78,082.76 in franchise fees and \$557,733.99 in lost revenue to MSI.

The City/MSI Franchise Agreement includes a provision to collect on past due accounts which involves customer outreach, applying penalties on the bill, and actual collection service reductions via the issuance of a smaller garbage cart and removal of recycling carts and bins for accounts unpaid after 120 days.

The contract with MSI began in December 2017. Given the transitions to a new service provider there was some confusion in the community about the MSI invoices, which led to a higher than usual occurrence of late payments. Since then, MSI has implemented several processes to reduce late payments, including specific messaging on the invoice envelopes and communication with customers. As of August 6, 2018, MSI staff have made 936 phone calls, sent 2,401 email notices, and issued 5,337 letters to customers with past due accounts requesting they pay their invoices. The notification process outlined below is followed by MSI depending on the lateness of the past due account. City staff prepared the Late Payment Protocol included in the agenda packet and MSI continues to implement this outreach before an account receives a service reduction.

Customer Billing Period	30-Days	60-Days	90-Days	120-Days
Single Family Quarterly Invoice		<ul style="list-style-type: none"> • 1 phone call • 1 email • 1 late notice invoice • 1 letter 	<ul style="list-style-type: none"> • 2 phone call • 2 emails • 2 late notice invoices • 2 letters 	<ul style="list-style-type: none"> • 3 phone calls • 3 emails • 3 late notice invoices • 2 letters
Multi-family & Commercial Monthly Invoice	<ul style="list-style-type: none"> • 1 phone call • 1 email • 1 late notice invoice 	<ul style="list-style-type: none"> • 2 phone calls • 2 emails • 2 late notice invoices • 1 letter 	<ul style="list-style-type: none"> • 3 phone calls • 3 emails • 3 late notice invoices • 2 letters 	<ul style="list-style-type: none"> • 4 phone calls • 4 emails • 4 late notice invoices • 2 letters

Accounts that remain past due by 121 days or more may receive a reduction in waste collection service as authorized by the Franchise Agreement:

Service Reduction for Single Family Customers

- Service reduced to a 38-gallon Garbage/Food Scraps split cart.
- Recyclables split cart(s) and Yard Trimmings cart(s) removed.
- \$59.31 restart fee charged to return carts. As an incentive, fee is waived if customer enrolls in auto-pay program.
- On premise collection customers also receive service reductions.

Service Reduction for Multi-family and Commercial Customers

- All recycling and garbage bins are locked.
- A 96-gallon cart is left for garbage.
- \$59.31 restart fee charged to unlock bins and collect the cart. As an incentive, fee is waived if customer enrolls in auto-pay program.
- MSI notifies City and City inspector is sent to all food service locations.

Currently, there are 63 customers with delinquent payments over 120 days that have received a service reduction as described above. This number was originally 128, but after service reductions went into effect, 65 customers paid their invoices and services were resumed.

City staff has been informed that this late payment protocol used to collect on late payments is effective. However, it does require significant resources and collection service reductions do not align with City's diversion goals and may lead to health and safety concerns. Staff is working with MSI to evaluate additional options related to the resolution of late payments, and will bring the item back for Council consideration in the future.

Fiscal Impact: Late solid waste payments affect the amount of Franchise Agreement Revenue received.

Recommendation: Receive the staff report on past due solid waste accounts and Milpitas Sanitation late payment protocol.

Attachment: Late Payment Protocol, May 2018

6.

HOUSING AUTHORITY

Adopt a Housing Authority Resolution Extending the Period for Development or Disposition of Housing Authority Properties in Milpitas to August 31, 2022 (Staff Contacts: Sharon Goei, 408-586-3260 and Hang Huynh, 408-586-3275)

Background: On February 1, 2012, AB X1 26 dissolved all redevelopment agencies throughout the State. In anticipation of the dissolution, on February 15, 2011, the City Council adopted Resolution No. 8062, authorizing the establishment of the City of Milpitas Housing Authority (HA) to be the successor housing agency to the dissolved Milpitas Redevelopment Agency (RDA). Thirteen real properties were transferred from the former RDA to the Housing Authority. The transferred properties and their current disposition are summarized in the table here.

	Address	Disposition			Project Description
		Developed with Affordable Housing	Sold by HA	Retained by HA	
1	340 Celebration Dr.	X	X		Residence
2	600 S. Abel St. #208	X		X	Residence
3	1101 S. Main St. #313	X	X		Residence
4	254 Parc Place	X		X	Residence
5	1432 S. Main St.			X	Auto Service
6	1434 S. Main St.			X	Vacant
7	1436 S. Main St.			X	Cat Boarding
8	1438 S. Main St.			X	Plumbing
9	1438A S. Main St.			X	Auto Service
10	1440 S. Main St.			X	Food Pantry
11	1444 S. Main St.			X	Locksmith
12	1446 S. Main St.			X	Residence
13	1504-1620 S. Main St.	X	X		Vacant

State Health and Safety Code Section (HSC) 34176.1(e) requires that all properties acquired by the RDA prior to February 1, 2012 and transferred to the Housing Authority be developed within certain time periods. State HSC 33334.16 sets the time period and requires that within five years, from the date the property is acquired, activities must be initiated consistent with the development of the property for affordable housing purposes or the property must be sold and the proceeds deposited in the State Low and Moderate Income Housing Asset Fund. The section also allows for one additional period not to exceed five years.

The initial five year period expired August 31, 2017. This is five years from the date the state Department of Finance approved the housing assets transferred from the former RDA to the Housing Authority. The Housing Authority Commission is requested to adopt a resolution approving a one-time extension to extend the expiration date to August 31, 2022.

Next Steps for HA Retained Properties

Staff has been working to prepare the 1432-1446 S. Main St. property for affordable housing development. As part of Affordable Housing Week 2017, staff hosted a developer tour of the site. Six developers participated in the tour. Due to the existing businesses and one residential unit on the site, relocation requirements will apply if the Housing Authority decides to move forward with affordable housing on the site. Staff is in contact with a business relocation consultant, Overland Pacific & Cutler, to discuss the City's obligations for the relocation requirements. It is anticipated that the development process would take at least two years. Therefore, staff is in the process of entering into two year leases with the existing businesses. In the coming year, staff will issue a Request for Proposal (RFP) to seek an affordable housing development partner at this location.

As for the two remaining residential units retained by the HA, they are being rented out to low income households at a low income rent level. Originally, four residential units were purchased by the RDA and then rented out to low income households. When the tenants moved into the units, they signed a Lease Agreement with an Option to Purchase. The leases, which were executed in 2013, expired in 2015. They have been on month to month since that time. The Option to Purchase gave the tenant the option to purchase the unit.

Staff has periodically reached out to tenants to determine if they were interested or able to purchase their unit. Over the next year, staff will work with the two remaining tenants to purchase their units so that the sale to low income households occurs before August 31, 2022. Recently, the tenant at 340 Celebration Dr. was in the position to purchase his/her unit and submitted a purchase agreement for the unit. The Housing Authority approved the sale of the unit on June 12, 2018. It closed escrow on August 9, 2018. Another tenant has also inquired about the possibility of purchasing his/her unit. The 1101 S. Main St. #313 tenant moved out without exercising the Purchase Option, therefore the unit was sold to another low income household.

Fiscal Impact: None

Recommendation: Adopt a Housing Authority resolution extending the time period for the development or disposition of Housing Authority properties in Milpitas to August 31, 2022.

Attachment: Resolution

7.

Authorize the City Manager to Execute an Improvement Agreement for a Commercial Development at 1100 and 1201 Cadillac Court (Staff Contact: Steve Erickson, 408-586-3301)

Background: On March 3, 2015, the City Council approved Site Development Permits (SD14-0015 and SD14-0016), Conditional Use Permits (UP14-0016 and UP14-0017) and Variance No. VA14-0001 for the development of a 124-room, five-story hotel with site improvements on a 3-acre site located at 1201 Cadillac Court and a 128-room, four story hotel with site improvements on a 3.29 acre site located at 1100 Cadillac Court.

Project conditions of approval require the permittee to obtain public improvement design approval and to bond for all public improvements to be constructed prior to building permit issuance. The City Engineer has approved the public improvement plans (E-EN16-0055) and is recommending the City Council approve the Improvement Agreement for the development to allow for the construction of public improvements that will be accepted by the City upon completion.

Public improvements to be constructed include curb, gutter, sidewalk, driveways, curb ramp, asphalt concrete pavement, signing and striping, utility services, landscaping and other miscellaneous items of work identified on the improvement plans. The value of these public improvements is \$553,973.20. The permittee has executed the Improvement Agreement and also provided improvement securities (bonding) to guarantee completion of the public improvements.

California Environmental Quality Act: On March 3, 2015, the City Council found that the project is categorically exempt from further environmental review pursuant to Section 15332 (In-Fill Development Projects) of CEQA. Execution of the Agreement is not considered a project under CEQA as there will be no direct or reasonably foreseeable indirect physical change in the environment.

Fiscal Impact: None. The Developer is installing the improvements as part of the development.

Recommendation: Authorize the City Manager to execute the Improvement Agreement between the City of Milpitas and Alps Group, Inc. for 1100 and 1200 Cadillac Court.

Attachment: Improvement Agreement

8.

Approve and Authorize the Director of Engineering/City Engineer to Execute Contract Change Order No. 1 with Granite Construction Company for the Amount Not to Exceed \$175,000 for the 2018 Street Resurfacing, Projects No. 4283 and No. 4287 (Staff Contact: Steve Erickson, 408-586-3301)

Background: On June 5, 2018, the City Council adopted Resolution No. 8783 to award a \$3,473,693 construction contract to Granite Construction Company (“Granite Construction”) for the 2018 Street Resurfacing, Projects No. 4283 and No. 4287 (collectively referred to herein as the “Project”). The contracted work for the Project provides localized pavement repairs, resurfacing, and installation of Americans with Disabilities Act (ADA) compliant sidewalk ramps, and sidewalk, curb, and gutter replacement at the following street segments:

- 1) Escuela Parkway between Milpitas Boulevard and Jacklin Road
- 2) Los Coches Street between Milpitas Boulevard and Hillview Drive
- 3) Yosemite Drive between Milpitas Boulevard and Park Victoria Drive
- 4) Vista Way
- 5) Wrigley Way
- 6) Calle Oriente
- 7) Traughber Street between Park Victoria Drive and Wool Drive
- 8) Wool Drive between Traughber Street and Kennedy Drive
- 9) Kennedy Drive between Wool Drive and Park Victoria Drive

Granite Construction removed damaged concrete curb and gutter sections on Traughber Street, Wool Drive, and Vista Way, but discovered a significant network of street tree roots that extend into and damaged the concrete sidewalk and street pavement. The overgrown roots are too large to cut without weakening the structural integrity of the tree. The Arborist reviewed the root conditions and inspected the trees and the recommendation is to remove approximately 20 overgrown street trees. Street tree removal and replacement will be coordinated with the Arborist, Public Works Department, and the affected residents.

Due to the severity of the tree root damage, staff is recommending that additional curb, gutter, and sidewalk be replaced to correct the damaged and uneven concrete for public health and safety. Staff negotiated a contract change order price for the additional concrete curb, gutter, and sidewalk replacement not to exceed \$175,000 and it is requested that this amount be added to the project construction contingency. A change order for this additional work is recommended, and there are sufficient funds in the project budget for this additional work.

Alternative: Denial of this request could result in project delays and not moving forward with the recommended additional concrete repairs.

California Environmental Quality Act: This Project is categorically exempt under Section 15301 of the California Environmental Quality Act guidelines for maintenance of existing facilities.

Fiscal Impact: A contract change order is required for the additional work, and the funding is available in the Project budget.

Recommendation: Approve and authorize the Director of Engineering/City Engineer to execute Contract Change Order No. 1 for \$175,000 for the 2018 Street Resurfacing, Projects No. 4283 and No. 4287.

Attachment: None

9.

Authorize the City Manager to Execute the Improvement Agreement for a Commercial Development at 1585 North McCarthy Boulevard (Staff Contact: Steve Erickson, 408-586-3301)

Background: On August 23, 2017, the Planning Commission approved a Site Development Permit (SD17-0003), Conditional Use Permit (UP17-0005), and Environmental Assessment (EA17-0001) to allow for the construction of six structures, including a retail store, gas station with car wash and fueling canopy, and a mini storage complex on a 9.34 acre site located at 1585 North McCarthy Boulevard.

Project conditions of approval require the permittee to execute an improvement agreement and to provide improvement securities (bonding) for public improvements to be constructed prior to encroachment permit issuance. The City Engineer has reviewed the public improvement plans (E-PI17-0009) and is recommending the City Council approve the Improvement Agreement to allow for construction of public improvements that will be accepted by the City upon completion.

Public improvements to be constructed include curb, gutter, sidewalk, driveways, curb ramp, asphalt concrete pavement, median modification, signing and striping, traffic signal installation, utility services, landscaping and other miscellaneous items of work identified on the improvement plans. The value of these public improvements is \$1,959,255. The permittee has executed the Improvement Agreement and also provided improvement securities to guarantee completion of required public improvements.

California Environmental Quality Act: The McCarthy Ranch Mixed Use Project was approved in 2009 pursuant to a Certified Environmental Impact Report (SC#2008092082, the 2009 EIR) pursuant to CEQA Guidelines Section 15183. This project represents a subset of the 2009 mixed use project. An Initial Study was prepared for this project pursuant to CEQA Section 15162 and it concluded that the project would have no new potentially significant impacts, all impacts were adequately evaluated in the certified 2009 EIR, and no additional environmental analysis is necessary. Execution of the Agreement is not considered a project under CEQA as there will be no direct or reasonably foreseeable indirect physical change in the environment.

Fiscal Impact: None. The public improvements will be constructed as part of the development.

Recommendation: Authorize the City Manager to execute the Improvement Agreement between the City of Milpitas and Sprig Center, LLC for 1585 N. McCarthy Blvd.

Attachment: Improvement Agreement

10.

Authorize Payment to Cayenta for Annual Software Support and Maintenance Services Agreement for the Financial and Utility Billing System for an Amount Not to Exceed \$209,270.54 (Staff Contact: Mike Luu, 408-586-2706)

Background: In 1997, the City entered into an agreement with Cayenta to provide a financial and utility billing system for the City of Milpitas. Cayenta requires payment of annual support and maintenance fees in order to continue vendor support. Funding for the

annual maintenance payment is included in the Information Services Department budget and various utility funds. In 2011, the City Council designated Cayenta as the sole source provider for Cayenta software support and maintenance, per Milpitas Municipal Code Section I-2-3.09 - Sole Source Procurement.

Fiscal Impact: Funds have been included in the Information Services Departments and Finance Department for FY 2018-19 operating budget. No additional funding is required. Funding in the amount of \$41,015.97 has been budgeted in the Water and Sewer Fund for the utility billing system portion of the financial system maintenance costs.

Recommendation: Authorize payment to Cayenta, per software support and maintenance agreement with the City for the financial and utility billing system for the not-to-exceed amount of 209,270.54.

Attachment: Invoice from Cayenta

11.

Approve Amendment No. 1 to the Agreement with Clampett Industries LLC doing business as EMG for City Wide Facilities Condition Assessment Services in the Amount of \$20,000 Resulting in the New Total Agreement Amount Not to Exceed \$111,766.40 (Staff Contacts: Will Fuentes, 408-586-3111 and Tony Ndah, 408-586-2602)

Background: On June 19, 2018, City entered into an agreement with Clampett Industries LLC doing business as EMG for the not-to-exceed amount of \$91,766.40 to conduct a comprehensive review of the maintenance and repair needs of the City's major facilities, and prepare a facilities condition assessment for each building, including a review and update of the major assets inventory in each facility.

Four primary objectives of the facility condition assessment are:

- Establish a list of maintenance and repair priorities and incorporate said list into a short-term and long-term maintenance and repair schedule.
- Analyze budget implications based in part on a facility life-cycle cost analysis.
- Develop a protocol for on-going monitoring of facility conditions, work performed and recorded information for City facilities.
- Review and update the existing facilities asset inventory as well as add systems, equipment and infrastructure assets that are not included on the City's existing facilities inventory.

The initial agreement included an assessment on 21 City facilities. These assessments will provide staff with a methodology to better evaluate the City's aging building infrastructure and to prioritize repair and capital improvements on an annual basis. This work is necessary to ensure continuation of a safe work environment, services to customers, and to protect public health and safety.

City Council is requested to approve an additional 17 City facilities to the facilities condition assessment. These include the restrooms and snack shacks at the City's parks and would increase the contract amount by \$20,000, for a total not-to-exceed contract amount of \$111,766.40.

Recommendation: Approve Amendment No. 1 to the Agreement with Clampett Industries LLC doing business as EMG for City-Wide Facility Condition Assessment services in the amount of \$20,000, resulting in the new not-to-exceed total of \$111,766.40.

Attachment: Amendment No. 1 to Agreement with EMG

12.

Approve Amendment No. 2 to the Agreement with Varsity Facilities Service for City Wide Janitorial Service at 12 City of Milpitas Locations in the Amount of \$46,345.93 for Contract Year Five Resulting in an Increase in the Amount Not to Exceed \$509,805.18 (Staff Contacts: Will Fuentes, 408-586-3111 and Tony Ndah, 408-586-2602)

Background: On January 7, 2014, City Council approved an agreement with Varsity Facilities Services for city-wide janitorial service at twelve City of Milpitas locations, in the annual amount not to exceed \$408,288.00. The agreement includes four option years, and each renewal year contains a compensation adjustment clause based on past performance and proof of industry price change of no more than 5% per year. Varsity Facilities Services has requested and received three compensation adjustments as allowed by the contract: \$19,507.19 in contract year three, \$8,594.76 in contract year four and \$22,069.76 in contract year five.

On February 21, 2017, Council adopted Ordinance No. 292 to establish a city-wide minimum wage. Per the Ordinance, employers who are subject to the City's business license requirement or who maintain a business facility in the City, must pay to each employee who performs at least two hours of work per week in Milpitas, a minimum hourly wage of not less than that shown on the table below:

Effective Date	Milpitas Minimum Wage Rate	% Increase	Cumulative % Increase
July 1, 2017	\$11.00		
January 1, 2018	\$12.00	9.1%	
July 1, 2018	\$13.50	12.5%	21.6%

Actual Varsity Facilities Services' labor cost percentage increases, as a result of the City's minimum wage ordinance and other factors such as normal performance and cost of living increases, equaled 6.9% as of January 1, 2018 and an additional 8.4% as of July 1, 2018; thereby totaling 15.3%. As such, labor costs in the final option year for Varsity Facilities Service have increased in excess of the 5% maximum compensation adjustment allowed by the original approved agreement. Therefore, staff requests that City Council approve an additional 10% increase to adjust Year Five (January 7, 2018 through January 6, 2019) of the Varsity Facilities Service agreement in order to account for Ordinance No. 292 (City's minimum wage ordinance). This is an increase of 15% total in Year Five and would better align the terms and compensation of the agreement to the recent increases to the Milpitas minimum wage rate, which have a cumulative total of 21.6% in 2018.

Fiscal Impact: None. Funds are available from the Facilities Maintenance Operating Budget for this service.

Recommendation: Approve Amendment No. 2 to the Agreement with Varsity Facilities Service for City wide janitorial service at 12 City of Milpitas locations in the amount of \$46,345.93 for the agreement's Year Five resulting in the increase of Year Five with a total not to exceed \$509,805.18.

Attachment: Amendment No. 2 to Agreement with Varsity

XII. UNFINISHED BUSINESS The following items No. 13 - 15 scheduled for discussion

- 13. Receive Report of City Council Subcommittee on Commissions, Commissioner Appointment Recommendations and Approve New Commissioner Handbook (Council Contacts: Councilmember Nuñez, 408-586-3023, Councilmember Phan, 408-586-3032); and, Approve Staff Recommendations for Phased Approach to**

Implementing Direction of the City Council Regarding Any City Commission Changes, Outreach for Commissioner applications, and Commissioner Handbook Protocol Work (Staff Contact: Renee Lorentzen, 408-586-3409)

Background: The City Council Subcommittee on Commissions was formed on December 19, 2017 to review and recommend applicants to serve as new Commissioners for final approval by the Mayor and Council; and to recommend any changes to the existing roster of City Commissions. Per direction of Council, recommendations to the Mayor on the appointments and reappointments of Commissioners will come from one Subcommittee member and the Commission's Councilmember Liaison, with exception of the Planning Commission, which will come from the Subcommittee.

The City of Milpitas currently has 14 commissions and 143 commissioner and alternate seats. The subcommittee met regularly between late January and early June of 2018, reviewing and making recommendations for final City Council approval on commission scopes, advisory areas, and titles, a new Commissioner Handbook, and recommended 26 commissioner appointments which were subsequently recommended for appointment by the Mayor, and confirmed by the City Council.

The Subcommittee recommends no changes to the following six City Commissions:

Arts Commission

Advise Council on: Retain current Commission advisory areas and topics

Community Advisory Commission

Advise Council on: Community Development Block Grant funding, neighborhood beautification, neighborhood abatement issues

Planning Commission

Advise Council on: current Commission advisory areas and topics

Senior Advisory Commission

Advise Council on: current Commission advisory areas and topics

Veterans Commission

Advise Council on: current Commission advisory areas and topics

Youth Advisory Commission

Advise Council on: current commission advisory areas and topics

The Subcommittee recommends the expansion and/or modernization of Commission advisory areas and titles of the following four City Commissions:

Energy and Environmental Sustainability Commission (currently known as Recycling and Source Reduction Commission)

Advise Council on: current Commission advisory areas and topics; addition of Sustainability, Climate Action Plan, Recycling, and waste diversion

Library and Education Commission (currently known as Library Advisory Commission)

Advise Council on: current Commission advisory areas and topics; addition of "education" component, incorporate school partnerships and initiatives into its work plan and scope

Public Safety and Emergency Preparedness Commission (currently known as Emergency Preparedness Commission)

Advise Council on: current Emergency Preparedness Commission topics; addition of “Public Safety” to include Police and Fire Community interest items into its work plan and scope

Science, Technology, and Innovation Commission (currently known as Telecommunications Commission)

Advise Council on: current Commission advisory areas and topics; addition of current technology topics

The Subcommittee recommends merging of Commission advisory areas of the following City Commissions:

- 1) Merge the Bicycle Pedestrian Advisory Commission topics into the Parks, Recreation and Cultural Resources Commission
 - a. Bike and Trail topics going to the Parks, Recreation and Cultural Resources Commission
- 2) Merge the Sister Cities Commission topics into the Economic Development Commission
 - a. Cultural Exchange program going to the Economic Development Commission
 - b. New resulting Commission to be named: Economic Development and Trade Commission

The Subcommittee recommends approval of a City of Milpitas Commissioner Handbook

During Subcommittee discussions, it was discussed that there is currently no guiding document for Commissioners or Commissions, thus creating inconsistencies in the administration of those bodies. The Subcommittee reviewed and recommends a new Commissioner Handbook for full Council consideration. This handbook outlines standard rules and procedures of serving as a Commissioner or alternate member, attendance, protocol, and annual Work Plans. Included as part of the planned Handbook is a standard template for Commission By-laws which would align all Commission membership seats to 7 Commissioners and 2 alternates; excluding Planning, whose By-laws are recommended to require 7 Commissioners and 0 alternate.

In an effort to encourage broader community volunteerism and participation, the Handbook also includes term limits of no more than three consecutive terms for Commissioners. Those Commissioners who are termed out would be able to immediately apply and be appointed to a seat on a different Commission, or wait the duration of one term and reapply to serve on the same Commission.

The following appointments are recommended for final appointment by the Mayor:

Parks, Recreation and Cultural Resources Commission

Move current Alternate No. 2 Voltaire Montemayor into a vacant Alternate No. 1 seat with a term to expire in June 2020.

Veterans Commission

Move current Alternate No. 1 John Schmidt into a vacant seat with a term to expire in February 2019.

Youth Advisory Commission

Reappoint Carl Cerezo, Andrew Dinh, Aruna Doreswamy, Ravit Sharma, Saniya Shrotriya and Aavani Sree as Commissioners with terms to expire in September 2019.

Reappoint Saili Karkare as Alternate No. 1 and Yugam Satija as Alternate No. 2 with terms to expire in September 2019.

In review of the Subcommittee recommendations and potential City Council approvals, staff is recommending a phased approach in implementing the direction of City Council in regards to any City Commission changes, outreach for Commissioner applications and Commissioner Handbook protocol work. Staff's recommendations are:

Phase 1 – Commissioner Application Marketing Campaign

- Begin Marketing Campaign calling for applications for all open Commission/Alternate seats reflecting the approved and updated Commission roster names and advisory areas

Phase 2 – Commissioner Recommendations & Review

- Bring additional new Commissioner recommendations/reappointments for approval (City Council 9/18 meeting)
- Request further City Council direction to staff to review all approved Commission changes and to manage implementation (work plans, by-laws changes including assessment of the number of commissioners and alternates on each body, etc.)

Phase 3 – Commissioner Handbook Implementation and Progress Report

- Individual Commission Work Plans and Bylaws for Council approval
All Commissions to be reviewed between November 2018 – February 2019
- Presentation to City Council on staff progress and discussion on policy considerations for Commissioner appointments and City Council liaison appointments

Recommendations:

- 1) Receive report of the City Council Subcommittee on Commissions and:
 - a. Consider approval of the Subcommittee's recommendations,
 - b. Approve City of Milpitas Commissioner Handbook,
 - c. Approve recommendations for final appointment by the Mayor to the: Parks, Recreation and Cultural Resources Commission; Veterans Commission; and, Youth Advisory Commission.
- 2) Approve staff recommendations for a phased approach to implementing the direction of the City Council in regards to any City Commission changes, outreach to seek new applicants to Commissions, and Commissioner Handbook protocol work.

Attachments:

- a) Directory of Local Officials
- b) Draft Commissioner Handbook

XIII. NEW BUSINESS

14. **Receive a Presentation on Transit Area On-Street Parking Management Strategies, and Provide Direction to Staff (Staff Contacts: Steve Erickson, 408-586-3301 and Steve Chan, 408-586-3324)**

Background: The new Milpitas BART (Bay Area Rapid Transit) station is located within the City's Transit Area Specific Plan (TASP) area and is expected to open for passenger service in spring/summer of 2019.

From other municipalities' experiences with BART stations, staff is concerned the new Milpitas station will create parking congestion on nearby streets where commuters will seek free parking as opposed to paying for parking at the BART parking facility. These commuters could create a problem of limited on-street parking to residents and impede public access to parks and retail businesses within the TASP area.

The Santa Clara Valley Transportation Authority (VTA) is preparing a BART Modes of Access Plan to address transportation options at the new BART station campus. The access plan will analyze locations of car pool, local shuttle, employer shuttle, ride share, car share, bike share, pedestrian and bicycle pathways. The goal is to provide alternate travel options for BART riders to and from the station. VTA and City of Milpitas staff are coordinating to ensure the plan minimizes vehicular traffic and parking congestion in and around the BART station campus and nearby city streets. Analysis of parking demand and congestion on public streets around the BART campus and surrounding the neighborhood will be an ongoing task for City staff.

The City has hired Nelson\Nygaard, transportation planning consultants, to analyze the effects of the BART facility on local streets and to recommend strategies to mitigate congestion, recommend parking management strategies such as metered parking, conduct financial analysis, and to prepare a policy implementation plan for the TASP area. Nelson\Nygaard will provide a presentation on TASP area on-street parking analysis, and parking demand and management strategy recommendations.

Alternative: Current parking on public streets around Milpitas BART station will remain unrestricted and vehicles may be parked continuously on streets for up to 72 hours per Municipal Code.

Fiscal Impact: None.

Recommendation: Receive a presentation on Transit Area On-Street Parking Management Strategies, and provide direction to staff.

Attachment: None

15. Receive Presentation on The Pines On-Street Parking Analysis and Provide Direction to Staff (Staff Contacts: Steve Erickson, 408-586-3301 and Steve Chan, 408-586-3324)

Background: The Pines is a single-family neighborhood of 976 homes, generally bounded by Great Mall Parkway to the north, S. Abel and S. Main Street to the east, Montague Expressway to the south and I-880 to the west. There are 407 homes along Fallen Leaf Drive and adjacent streets within the Pines neighborhood that have historically experienced problems along those specific streets. These residents are currently expressing concern that residents of the newer Apex Apartments and Ilara Apartments, located along Abel and South Main Streets, are parking their vehicles along the streets within The Pines rather than within their respective apartment complexes. In response, staff has completed professional parking analysis and identified possible next steps, a pilot permit parking program or further community engagement, as summarized below.

The streets within the entire Pines neighborhood is estimated to accommodate 2,000 on-street parking spaces. Similar to many residential neighborhoods in Milpitas, the streets are public without restricting whom may park along the street. Due to neighborhood complaints regarding the ongoing lack of available on-street parking, and the more recent complaint of nearby apartment residents parking their vehicles within The Pines, staff was requested by City Council to review on-street parking availability and to determine a possible solution to the lack of available parking.

Analysis: The City of Milpitas contracted with Nelson\Nygaard, a highly-qualified transportation planning consultant firm, to conduct parking surveys, and to assess community support for implementation of a permit parking program to improve first-come – first served access to on-street parking. Two comprehensive surveys were completed, and a community meeting was held in January to engage The Pines community. Only 244 households (25%) responded to the initial survey which included the entire The Pines neighborhood. Of the 244 responses received, only 146 supported a permit parking program. The survey results also indicate that The Pines average vehicle ownership is 3.3 cars per household, and that a majority of households park on the street rather than in their garage or driveway.

Due to the low response rate to the initial parking survey, a second in-person survey was completed by Nelson\Nygaard. This second survey focused on the 407 Pines households along Capitol Avenue, Fallen Leaf Drive and adjacent streets, where many of the Pines community concerns regarding parking impacts from the nearby apartment communities were derived and where parking congestion was observed. Response to the second survey was improved at 269 (66%) responses received. Approximately 132 (49%) of responding households supported some form of a permit parking program; however, support dwindled if either partial or full cost recovery fee was applied.

Based upon the second survey findings, a potential pilot parking permit program limited only to the area of the 407 homes and not to exceed a duration of 6 months is an option for consideration. Permit parking would apply to the following streets:

- Capitol Avenue from Abel Street to Venus Street
- Moon Court
- Evening Star Court
- Sun Court
- Polaris Court
- Woodland Court
- Sunrise Way
- Stellar Way
- Moonbeam Way
- Fallen Lead Drive from Capitol Avenue to Greenwood Way
- Evergreen Way
- Greentree Way
- Greentree Circle
- Lonetree Court
- Cedar Way
- Cedar Court

The pilot parking permit program specifics would include:

- Permit program managed and administered by a contractor;
- 6-month trial duration within the focus-area;
- Permit would be required to park on street from mid-night to 6 AM, 7-days/week;
- 3 no-cost parking permits designated to each household;
- Proof of vehicle registration and proof of residency on these specified streets;
- Enforcement would be complaint based and one random night per week by Milpitas Police; and
- Citations would be issued for lack of display of permit during enforcement hours and for all violations of the State Vehicle and City Municipal Codes, including illegal head-in parking within cul-de-sacs.

The desired goals of the pilot parking permit program include:

- Verification if parking problem is caused by residents outside The Pines;
- Determine if program improves the availability of on-street parking;
- Determine community support for permit parking upon completion of pilot program;
- Identify cost/benefit of administration and enforcement of permit parking program; and
- Determine if permit parking program could be replicated in other areas of the city.

A 6-months pilot parking permit program is estimated to cost \$242,000 which includes initial one-time set-up improvements, administration, management, enforcement costs public noticing, and a final after study report. Initial set-up costs would be one-time costs estimated at \$200,000 to initiate the program including installation of regulatory street signage, public noticing, initial program costs, and the final study report of the findings at the conclusion of the pilot program. The potential for an ongoing permit program would require administration and enforcement by the police department randomly one-night per week, and estimated to be \$22,000 for a 6 months period with a slight impact to late-night police patrol service.

The itemized cost is:

Item	Unit Cost
Permit Administration	\$20,000.00
Parking Enforcement	\$22,000.00
Public Noticing *	\$10,000.00
New Regulatory Signage*	\$165,000.00
After Study*	\$25,000.00
Total	\$242,000.00

*** One-time setup cost**

Staff believes the pilot parking permit program may not be a perfect solution to the lack of available parking due to the number of vehicles owned by residents of The Pines (3.3 on average) versus the limited number of on-street spaces (estimated at 850). The following items should be acknowledged when considering a potential parking permit program for The Pines:

- The Police Department has conducted drive-by surveys of available parking spaces within the Apex and Ilara apartments parking garage structures at different times of night and confirmed there are ample unfilled parking spaces available. This could mean the residents of these apartments may not be the primary cause of the parking congestion within The Pines;
- A parking permit program will not reduce the estimated number of vehicles per household or increase the number of on-street spaces;
- The existing on-street parking supply supports only 2 vehicles per household compared to the surveyed average of 3.3 vehicles per household;
- Limiting 3 parking permits per household would likely require residents with an above-average number of vehicles to park in their driveways, garages, and/or park them outside of the pilot program area;
- Enforcement of a parking permit program includes a mandatory display of the permit on each vehicle parked on the street in the program area, and adherence to all State Vehicle Code and Municipal Code requirements; and
- Parking enforcement would include fire hydrant blockage, perpendicular parking in cul-de-sac, expired vehicle registration, and vehicles parked on-streets for longer than 72-hours.

If the City Council were to direct staff to implement a pilot parking permit program, the next steps for implementation would include a budget appropriation to fund the pilot permit parking project, engage community discussion of the implementation, issuance of a Request for Proposal (RFP) seeking firms to administer and manage permit parking program, award contract to the firm, modification of City's ordinance for enforcement of permit parking streets, and to award a contract for installation of required on-street regulatory signage.

If the City Council did not wish to proceed with implementation of a pilot permit parking program, staff recommends further engagement and discussion with The Pines Homeowners Association and residents to identify best practices, such as improved use of garages and driveways, and to encourage alternative transportation options to reduce overall on-street parking demand and improve on-street parking opportunities for The Pines neighborhood.

Staff is seeking direction from City Council with regard to the implementation of the 6-month pilot parking permit program.

Alternative: If no direction is given, all on-street parking within The Pines will remain accessible to the public at all times.

Fiscal Impact: None

Recommendation: Receive presentation on The Pines on-Street parking analysis and provide direction to staff.

Attachment: None

XIV. REPORT OF MAYOR

- 16. Per Request of Mayor Tran, Consider Approving More than 4 Hours of Staff Time to Respond to a Need for Traffic Calming Program (Contact: Mayor Tran, 408-586-3029)**

Recommendation: Hear request of Mayor Tran. If desired, move to approve more than four hours of staff time to work on a program for traffic calming in Milpitas.

Attachment: None

XV. REPORTS OF MAYOR & COUNCILMEMBERS – from the assigned Commissions, Committees and Agencies

XVI. ADJOURN JOINT MEETING

NEXT REGULAR CITY COUNCIL MEETING
TUESDAY, SEPTEMBER 4, 2018